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Arizona Corporation Commission

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SEP 22 2015

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LIBERTY UTILITIES
Todd C. Wiley (No. 015358)
12725 W. Indian School Road, Suite D-101
Avondale, Arizona 85392
Telephone (623) 240-2087
Todd.Wiley@libertyutilities.com

Attorneys for Liberty Utilities (Black Mountain Sewer) Corp.

BEFORE THE ARIZONA CORPORATION COMMISSION

IN THE MATTER OF THE APPLICATION
OF LIBERTY UTILITIES (BLACK
MOUNTAIN SEWER) CORP., AN
ARIZONA CORPORATION, FOR
AUTHORITY TO ISSUE EVIDENCE OF
INDEBTEDNESS IN AN AMOUNT NOT
TO EXCEED \$3,400,000.

DOCKET NO: SW-02361A-15-0206

IN THE MATTER OF THE APPLICATION
OF LIBERTY UTILITIES (BLACK
MOUNTAIN SEWER) CORP., AN
ARIZONA CORPORATION, FOR A
DETERMINATION OF THE FAIR VALUE
OF ITS UTILITY PLANTS AND
PROPERTY AND FOR INCREASES IN ITS
WASTEWATER RATES AND CHARGES
FOR UTILITY SERVICE BASED
THEREON.

DOCKET NO: SW-02361A-15-0207

**NOTICE OF FILING
CERTIFICATION OF PUBLICATION
AND PROOF OF MAILING**

Pursuant to the Procedural Order issued August 19, 2015, Liberty Utilities (Black Mountain Sewer) Corp. ("Company") hereby submits this Notice of Filing Certification of Publication and Proof of Mailing in the above-captioned matter.

1 On September 2, 2015, the updated public notice was published in the Foothills
2 Focus. The Affidavit/Proof of Publication of John Alexander, publisher of the Foothills
3 Focus, is attached as **Exhibit A**.

4 On September 10 2015, the Company mailed the updated notice to each current
5 customer. The documentation from Digital Data Centers is attached as **Exhibit B**.

6 RESPECTFULLY SUBMITTED this 22nd day of September, 2015.

7 SHAPIRO LAW FIRM, P.C.

8
9 By: _____

Jay L. Shapiro
1819 E. Morten Avenue, Suite 280
Phoenix, AZ 85020
602-559-9575
jay@shaplawaz.com

12 and

13 LIBERTY UTILITIES

14
15 Todd C. Wiley
Assistant General Counsel
12725 W. Indian School Road, Suite D-101
Avondale, AZ 85392
623-240-2087
Todd.Wiley@libertyutilities.com

18 Attorneys for Liberty Utilities
19 (Black Mountain Sewer) Corp.

20
21 **ORIGINAL and thirteen (13) copies**
22 **of the foregoing were delivered**
this 22nd day of September, 2015, to:

23 Docket Control
24 Arizona Corporation Commission
25 1200 W. Washington Street
26 Phoenix, AZ 85007

1 **COPY of the foregoing hand-delivered**
this 22nd day of September, 2015, to:

2 Sasha Paternoster, ALJ
3 Hearing Division
4 Arizona Corporation Commission
1200 W. Washington Street
5 Phoenix, AZ 85007

6 **COPY of the foregoing emailed & hand-delivered**
this 22nd day of September, 2015, to:

7 Robin Mitchell
8 Wes Van Cleve
9 Legal Division
Arizona Corporation Commission
1200 W. Washington Street
Phoenix, AZ 85007
10 rmittchell@azcc.gov
wvancleve@azcc.gov

11 **COPY of the foregoing emailed & mailed**
12 this 22nd day of September, 2015, to:

13 Daniel W. Pozefsky
14 Chief Counsel
Residential Utility Consumer Office
1110 W. Washington Street, Suite 220
15 Phoenix, AZ 85007
dpozefsky@azruco.gov

16 Michele L. Van Quathem
17 Fredric D. Bellamy
Ryley Carlock & Applewhite
18 One N. Central Avenue, Suite 1200
Phoenix, AZ 85004
19 mvq@rcalaw.com
fbellamy@rcalaw.com

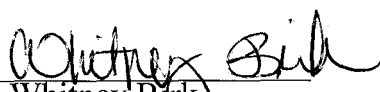
20
21 By: 
22 Whitney Birk
23 Assistant to Jay Shapiro
24
25
26

EXHIBIT A

AFFIDAVIT/PROOF OF PUBLICATION

STATE OF ARIZONA

} ss

County of Maricopa

John Alexander being duly sworn, deposes and says;

That he is the publisher of the Foothills Focus a newspaper published in New River,

Maricopa County, Arizona: that the

Public Notice of Hearing on the Applications of

Liberty Utilities (Black Mtn Sewer) Corp a copy of which is

hereunto attached, was first published in said newspaper in its issue date the 2nd

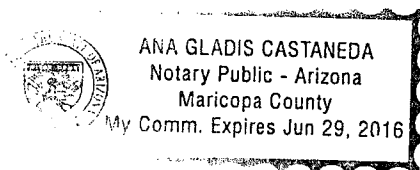
Day of September 20 15 and was published in each weekly issue of said

newspaper for one consecutive week the last publication being in the issue

date the 2nd day of September, 20 15

John Alexander

Subscribed and sworn to before me this



2nd day of Sept, 20 15

Ana Gladis Castaneda

Notary Public

**PUBLIC NOTICE OF HEARING ON THE APPLICATIONS OF LIBERTY
UTILITIES (BLACK MOUNTAIN SEWER) CORP.
FOR APPROVAL TO INCUR DEBT & FOR A RATE INCREASE (DOCKET
NOS. SW-02361A-15-0206 AND SW-02361A-15-0207)**

Summary

On June 22, 2015, Liberty Utilities (Black Mountain Sewer) Corp. ("Liberty") filed with the Arizona Corporation Commission ("Commission"), in Docket No. SW-02361A-15-0206, an application requesting authority from the Commission to issue evidence of indebtedness in a total amount not to exceed \$3,400,000 ("Finance Docket"). Also on June 22, 2015, Liberty filed with the Commission, in Docket No. SW-02361A-15-0207, an application requesting that the Commission establish the fair value of its plant and property used for the provision of public wastewater utility service and, based on such finding, approve permanent rates and charges for utility service designed to produce a fair return thereon using a test year ending December 31, 2014 ("Rates Docket").

Liberty requests authorization to increase its rates to generate total revenues of \$2,659,788. This would constitute an increase in revenues by \$417,940, or 18.75 percent over test revenues of \$2,239,848. For information about how Liberty's revenue increase would affect your individual bill, you may contact Liberty at 12725 W. Indian School Road, Suite D-101, Avondale, Arizona 85392, or by calling (623) 935-9367.

The Commission's Utilities Division ("Staff") is in the process of auditing and analyzing the applications, and has not yet made any recommendations regarding Liberty's proposed rate increase or financing application. The Commission will determine the appropriate relief to be granted based on the evidence of record in the proceeding. **THE COMMISSION IS NOT BOUND BY THE PROPOSALS MADE BY LIBERTY, STAFF, OR ANY INTERVENORS; THEREFORE, THE FINAL RATES APPROVED BY THE COMMISSION MAY DIFFER FROM AND MAY BE HIGHER OR LOWER THAN THE RATES REQUESTED BY LIBERTY OR RECOMMENDED BY OTHER PARTIES.**

How You Can View or Obtain a Copy of the Rate Proposal

Copies of the application and proposed rates are available from Liberty at its office, 12725 W. Indian School Road, Suite D-101, Avondale, Arizona 85392; and on the Internet via Liberty's website (www.libertyutilities.com/libertywater/az/ratecase), and at the Commission's Docket Control Center at 1200 West Washington, Phoenix, Arizona, for public inspection during regular business hours, and on the Internet via the Commission's website (www.azcc.gov) using the e-Docket function.

Arizona Corporation Commission Public Hearing Information

The Commission will hold a hearing on these matters beginning **February 1, 2016, at 10:00 a.m.**, at the Commission's offices Hearing Room No. 1, 1200 West Washington Street, Phoenix, Arizona 85007. Public comments will be taken on the first day of hearing. Written public comments may be submitted by mailing a letter referencing Docket Nos. SW-02361A-15-0206/15-0207 to Arizona Corporation Commission, Consumer Services Section, 1200 West Washington, Phoenix, AZ 85007, or by submitting comments on the Commission's website (www.azcc.gov) using the "Submit a Public Comment" function. If you require assistance, you may contact the Consumer Services Section at 602-542-4251 or 1-800-222-7000.

About Intervention

The law provides for an open public hearing at which, under appropriate circumstances, interested persons may intervene. An interested person may be granted intervention if the outcome of the case will directly and substantially impact the person, and the person's intervention will not unduly broaden the issues in the case. Intervention, among other things, entitles a party to present sworn evidence at hearing and to cross-examine other parties' witnesses. However, failure to intervene will not preclude any interested person or entity from appearing at the hearing and providing public comment on the application or from filing written comments in the record of the case.

To request intervention, you must file **an original and 13 hard copies** of a written request to intervene with Docket Control, 1200 West Washington Street, Phoenix, AZ 85007, **no later than October 30, 2015**. You also **must** serve a copy of the request to intervene on each party of record, on the same day you file the request to intervene with the Commission. Information about intervention and sample intervention requests are available on the Commission's website (www.azcc.gov) using the "Intervention in Utility Cases" link.

Your request to intervene must contain the following:

1. Your name, address, and telephone number and the name, address, and telephone number of any person upon whom service of documents is to be made, if not yourself;
2. A reference to **Docket Nos. SW-02361A-15-0206/15-0207**;
3. A short statement of your interest in the proceeding (e.g., a customer or potential customer of Liberty, a member or shareholder of Liberty, etc.) and how you will be directly and substantially affected by the outcome of the case, and why your intervention will not unduly broaden the issues in the case;
4. A short statement certifying that a copy of the motion to intervene has been mailed to Liberty or its counsel and to all parties of record in the case; and
5. If you are not represented by an attorney who is an active member of the Arizona State Bar, and is not an individual representing himself or herself, information and any appropriate documentation demonstrating compliance with Arizona Supreme Court Rules 31, 38, and 42, as applicable.

The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except that all motions to intervene must be filed on or before October 30, 2015. If representation by counsel is required by Arizona Supreme Court Rule 31, intervention will be conditioned upon the intervenor obtaining counsel to represent the intervenor.

ADA/Equal Access Information

The Commission does not discriminate on the basis of disability in admission to its public meetings. Persons with a disability may request a reasonable accommodation such as a sign language interpreter, as well as request this document in an alternative format, by contacting the ADA Coordinator, Shaylin Bernal, E-mail SAbernal@azcc.gov, voice phone number 602-542-3931. Requests should be made as early as possible to allow time to arrange the accommodation.

EXHIBIT B



DIGITAL DATA CENTERS

DELIVERING CRITICAL MAIL & E-SOLUTIONS
188 Internationale Boulevard Glendale Heights, IL 60139

Phone: 630-384-0900
Fax: 630-384-0901
Email: Info@DigitalDC.biz
Web: www.DigitalDC.biz

September 17, 2015

To Whom It May Concern:

The Black Mountain Sewer Corp. Public Notice of Hearing insert was included in the September mailing run. The file was received on 09/08/15 at 7:02 PM CST and was delivered to the PHOENIX AZ 85026-9998 USPS Post Office location on 09/10/15.

1623 packages qualified for the postal coding discount and 32 packages were sent residual at our secondary discount rate. There were 2 additional flat mail packages that were metered and mailed out for a total of 1657 mailed packages.

Please contact the Account Services Department at Digital Data Centers if you have any questions.

Sincerely,

Susan Walter
Manager – Account Services
Digital Data Centers

Postage Statement -- First-Class Mail

Transaction Number: 201525318054071 M0		CAPS Transaction Number: 2015091018054000M0		Postage Statement Number: 221241868			
Mailing Group	Mailing Group ID 154797360			Mailing Job Number 893	Open Date 09-10-2015		
	Preparer DIRECT DIGITAL SOLUTIONS, LLC			Origin PSW - USPS Entered	Close Date 09-10-2015		
	Job Description						
Mailer	Permit Holder's Name and Address and Email Address, if Any CRITICAL DOCUMENT DELIVERY 1905 W 3RD ST TEMPE, AZ 85281-2490 Contact Name: CHUCK SEIFERT (480)829-6245 CSEIFERT@DDPHOENIX.COM CAPS Customer Ref. No: 893 CRID: 11328204		Name and Address of Mailing Agent (If other than permit holder) DIRECT DIGITAL SOLUTIONS, LLC 1905 W 3RD ST TEMPE, AZ 85281-2490 CRID: 5796771		Name and Address of Individual or Organization for Which Mailing is Prepared (If other than permit holder)		
Mailing	Post Office of Mailing PHOENIX AZ 85026-9998	Processing Category Letters (may include Cards)	Parcels Only Hold For Pickup (HFPU): No. of Pieces 0	Mailer's Mailing Date 09/10/15	Federal Agency Cost Code	Statement Seq. No. 893	No. & type of Containers Sacks: 0 1 ft. Letter Trays: 10 2 ft. Letter Trays: 5 EMM Letter Trays: 0 Flat Trays: 0 Pallets: 0 Other: 0
	Type of Postage Permit Imprint			Weight of a Single Piece Nonidentical	Combined Mailing [] Single Class	SSF Transaction ID# 0	
	Permit # 1781	For Mail Enclosed Within Another Class [] Standard Mail [] Bound Printed Matter [] Library Mail [] Media Mail [] Parcel Post			[] Periodicals [] SigCon	Customer Generated Electronic Labels [] SigCon	
	For Automation Rate Pieces, Enter Date of Address Matching and Coding 09/10/15		Move Update Method: NCOALink		Total Weight 75.5949 lbs.		
Postage	Letter-size mailpieces contain: [] Round Trip Only: One DVD/CD or other disk This is a Political Mailing No This is Official Election Mail No			Parts Completed A, B			
				Subtotal Postage (Add parts totals)		\$671.63	
	Complete if the mailing includes pieces bearing metered/PC Postage or precanceled stamps. Rate at Which Postage Affixed (Check one) [] Correct [] Lowest [] Neither			_____ pcs. x \$ _____ = Postage Affixed		\$0.00	
				Incentive/Discount _____		\$0.00	
				Fee _____		\$0.00	
				Net Postage Due		\$671.63	
	For USPS Use Only: Additional Postage Payment (State reason)						
				Total USPS Adjusted Postage		\$671.63	
Certification	Incentive/Discount Claimed: N/A Type of Fee: N/A						
	The mailer certifies acceptance of liability for and agreement to pay any revenue deficiencies assessed on this mailing, subject to appeal. If an agent certifies that he or she is authorized on behalf of the mailer then that mailer is bound by the certification and agrees to pay any deficiencies. In addition, agents may be liable for any deficiencies resulting from matters within their responsibility, knowledge, or control. The mailer hereby certifies that all information furnished on this form is accurate, truthful, and complete; that the mail and the supporting documentation comply with all postal standards and the mailing qualifies for the prices and fees claimed; and that the mailing does not contain any matter prohibited by law or postal regulation. I understand that anyone who furnishes false or misleading information on this form or who omits information requested on this form may be subject to criminal and/or civil penalties, including fines and imprisonment. Privacy Notice: For information regarding our Privacy Policy visit www.usps.com						

This postage statement was verified and accepted under the PostalOne! program. No postal signature or round stamp is required.

Part A

Automation Prices

Letters

		Price	No. of Pieces	Subtotal Postage	Discount Total*	Fee Total	Total Postage
A5	5-Digit		765	\$299.1150	\$0.0000	\$0.0000	\$299.1150
A7	AADC		212	\$88.1920	\$0.0000	\$0.0000	\$88.1920
A8	Mixed AADC		634	\$278.3260	\$0.0000	\$0.0000	\$278.3260

A13	Part A Total (Add lines A1-A12)						\$665.63
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* May contain both Full Service Intelligent Mail and other discounts.

Part B

Nonautomation Prices

Letters

		Price	No. of Pieces	Subtotal Postage	Discount Total	Fee Total	Total Postage
B5	Residual Single-Piece First-Class Mail (Up to 1 oz and Between 1oz. and 2oz.)		12	\$6.0000	\$0.0000	\$0.0000	\$6.0000

Part B Total (Add lines B1-B20) \$6.00

This postage statement was verified and accepted under the PostalOne! program. No postal signature or round stamp is required.

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